

Notice of Allowability

Application No.

09/025,862

Examiner

Justin P Misleh

Applicant(s)

TANAKA ET AL.

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Reply After-Final filed 12 November 2004.
2. ☒ The allowed claim(s) is/are 1 - 14 and 16 - 21 (now renumbered 1 - 10, 15 - 18, 11 - 14, 19, and 20, respectively).
3. ☒ The drawings filed on 19 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/19/03; 11/12/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/14/05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Wonsuck Choi on 14 January 2004.

2. The claims (in the Amendment filed 20 August 2003) have been amended as follows:

Claim 1

- In the last line of the claim after "with the" and before "phone number stored", please insert "at least one".

Claim 2

- In the third line of the claim after "electronic signal from the" and before "converting unit", please insert "first".

Claim 7

- In the fourth line of the claim after "and a second mode of displaying the" and before "image on", please insert "still".

Claim 11

- In the twelfth line of the claim after "signal with the" and before "signal when the specific phone number", please delete "electric" and insert "electronic".

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- In the thirteenth line of the claim after “with the” and before “phone number stored”, please insert “at least one”.

Claim 13

- In the last line of the claim after “unit with the electronic” and before “signal”, please delete “audio”.

Claim 16

- Please delete the fifth and sixth lines of the claims beginning with the words “used with” and ending with the words “remote therefrom” and replace with: “used with an ear and a mouth of a user respectively close thereto and a second mode function in which the speaker and the microphone are used with the ear and the mouth of the user respectively remote therefrom”.

Claim 20

- In the last line of the claim after “with the” and before “specific telephone number”, please insert “at least one”.

Claim 21

- In the thirteenth line of the claim after “with the” and before “phone number stored”, please insert “at least one”.
- In the seventeenth line of the claim after “containing the still image” and before “or the electronic audio signal”, please delete “signal”.
- In the twenty-first line of the claim after “still image unless the” and before “is requested by a manual”, please delete “selection” and insert “selecting”.

Claim 22

- Please cancel this claim.

Allowable Subject Matter

3. **Claims 1 – 14 and 16 – 21** (now renumbered 1 – 10, 15 – 18, 11 – 14, 19, and 20, respectively) are allowed.

4. The following is an Examiner's statement of reasons for allowance:

The closest prior art shows a camera phone having a camera case and a speaker arranged on two adjoining sides of a camera head, wherein when the camera phone is used as a normal cellular phone, the camera case is rotated and the speaker is arranged on the front side and, furthermore, when the camera case is rotated, the camera head is hidden inside the main part and power supply to the camera head is automatically cut off to conserve power (e.g., battery).

The closest prior art do not teach or fairly suggest a digital still camera capable of telecommunication that stores at least one phone number stored in a memory, designates a remote device in a wireless telephone network with a specific phone number, and prevents an image signal and an audio signal from being combined when the specific phone of the remote device coincides with the phone number stored in the memory.

5. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 703.305.8090 (571.272.7313 ~ March 2005). The Examiner can normally be reached on Monday through Thursday from 7:30 AM to 5:30 PM and on alternating Fridays from 7:30 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wendy R Garber can be reached on 703.305.4929. The fax phone number for the organization where this application or proceeding is assigned is 703.872.9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM
January 14, 2005


TUAN HO
PRIMARY EXAMINER